

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES L. WILLIAMS,

Plaintiff,

v.

MARTHA CAMPOS, M.D., et al.,

Defendants.

No. C 04-2086 MMC (PR)

**ORDER DENYING MOTION
FOR DEFAULT**

(Docket No. 33)

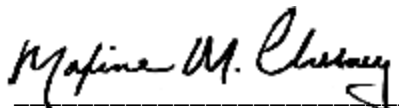
Plaintiff Charles Williams, a California prisoner currently incarcerated in San Quentin State Prison ("SQSP") and proceeding pro se, filed the above-titled civil rights action under 42 U.S.C. § 1983. He has filed a motion for a default judgment in the amount of \$5,000,000 on the ground that defendants did not file a motion for summary judgment in advance of the November 19, 2005 deadline, but instead filed the motion two days later, on November 21, 2005.

Plaintiff fails to set forth good cause for entry of defendants' default, as defendants have filed an answer. See New York Life Ins. Co. V. Brown, 84 F.3d 137, 141 (5th Cir. 1996) (holding term "default" means the defendant has failed to respond to the complaint). Accordingly, as provided in the Court's prior orders, plaintiff's opposition is due within 30 days of the filing of defendants' motion, and defendants' reply is due within 14 days of the date the opposition is filed.

This order terminates Docket No. 33.

IT IS SO ORDERED.

DATED: December 20, 2005


MAXINE M. CHESNEY
United States District Judge